**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION No.9548 of 2004**

**Dated:27.06.2006**

**Between:**

Nandineni Anasuyamma.

…Petitioners

and

The Mandal Revenue Officer, Maheshwaram Mandal, Ranga Reddy District, and others.

…Respondents

**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION No.9548 of 2004**

**ORDER:**

The petitioner filed the instant writ petition impeaching Memo No.D/713/04, dated 05.06.2004 whereby and whereunder the first respondent directed the second respondent to restore the entry in the cultivator column in the pahanies of Sreenagar Village as per the earlier Memo No.D/57/04, dated 31.01.2004.

The brief fact of the matter is that the petitioner along with her brother and nephew filed O.S.No.679 of 2001 on the file of the Court of the Principal Senior Civil Judge, Ranga Reddy District, against respondent Nos.3 and 4 and others for perpetual injunction. She prayed for a decree of injunction restraining the respondents from interfering with her peaceful possession of the land in Survey Nos.236/2 and 237 admeasuring Acs.24.24 guntas situated at Sreenagar Village, Maheswaram Mandal, Ranga Reddy District. She also filed I.A.No.1055 of 2001 for temporary injunction. The trial Court granted an *ex parte* injunction on 01.08.2001, and subsequently, it was made absolute. Respondent Nos.3 and 4 filed C.M.A.No.4572 of 2003, and this Court allowed the same on 23.04.2004. Therefore, the petitioner and her brother filed SLP (civil) No.10472 of 2004. By an order dated 24.05.2004, the Supreme Court modified the order of the High Court in C.M.A.No.4572 of 2003 directing *status quo* regarding possession, and further directed the trial Court to dispose of the suit. Thereafter, respondent Nos.3 and 4 filed a representation before the first respondent on 04.06.2004. Considering the same, the first respondent in effect directed the second respondent to remove the name of the petitioner and to incorporate the names as existed earlier.

The petitioner contends that when the Supreme Court has directed to maintain *status quo* it is improper for the first respondent to modify the entries in the pahanies. This submission cannot be accepted. As rightly pointed out by the learned Counsel for respondent Nos.3 and 4 that initially, the name of the petitioner was

not entered in the record of rights. She obtained *ad interim* injunction in I.A.No.1055 of 2001 in O.S.No.679 of 2001 and approached the first respondent who directed the second respondent to incorporate her name. When once this Court set aside the order in I.A.No.1055 of 2001 such a situation does not exist nor the continuation of the petitioner in the cultivator column is warranted. Therefore, there is every justification for passing the impugned order. The submission of the petitioner that *status quo* order passed by the Supreme Court would not enable the first respondent to issue the impugned order cannot be accepted. When this Court has set aside the order of injunction passed by the trial Court, the petitioner's name cannot be continued and when the petitioner's name was entered in the record of rights only pursuant to the interim injunction, this Court finds no infirmity in the impugned order.

The Writ Petition is devoid of any merit and is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

27.06.2006
vs